

ORDINANCE NO. 3900

AN ORDINANCE OF THE CITY OF EDMONDS,
WASHINGTON, AMENDING THE CITY'S REGULATIONS
REGARDING BED AND BREAKFASTS.

WHEREAS, the City of Edmonds' bed and breakfast regulations are not easy to find, understand or apply; and

WHEREAS, on June 13, 2012 the Edmonds Planning Board held a public hearing regarding a proposal to rework the city's bed and breakfast regulations; and

WHEREAS, on July 17, 2012 the Edmonds City Council held a public hearing on the Planning Board's recommended bed and breakfast regulations; and

WHEREAS, the City Council voted to amend the Planning Board's proposed regulations and requested that an ordinance be prepared to codify those changes.

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. A new chapter 20.23 of the Edmonds Community Development Code, entitled "Bed and Breakfasts," is hereby adopted to read as follows:

Chapter 20.23 BED AND BREAKFASTS

Sections:

20.23.000	Purpose and intent.
20.23.010	Business license required.
20.23.020	The use, by zone.
20.23.030	Development standards.

20.01.000 Purpose and intent.

Bed and breakfasts (B&Bs) provide short-term lodging opportunities within single family residences which many tourists prefer due to their home-like feel, opportunities to meet new people, etc. As a result, B&Bs are well suited to the residential areas of Edmonds in addition to the pedestrian-oriented Downtown area. However, particularly in residential areas, potential impacts from occupancy, signage, parking and the like must be effectively managed to ensure that the character of the single family residence and neighborhood is maintained.

20.23.010 Business license required.

All bed and breakfasts must obtain a City business license in accordance with Chapter 4.72 Edmonds City Code.

20.23.020 The use, by zone.

A. Residential zones.

1. B&Bs with two rental bedrooms or less are a permitted secondary use.
2. B&Bs with three or more rental bedrooms are a secondary use which require a Type II conditional use permit.

B. In business and commercial zones, B&Bs containing any number of rooms are a permitted primary use as long as all of the development standards in ECDC 20.23.030 are met.

20.23.030 Development standards.

The following standards apply to all bed and breakfast establishments:

- A. Bed and breakfasts must meet all applicable health, fire and building codes.
- B. Bed and breakfasts may only be located in detached single-family homes.
- C. The owner or operator of the bed and breakfast must maintain full-time residence on the premises.

- D. A bed and breakfast may employ non-resident employees.
- E. In all zones except BD, one parking space must be provided for each rental room. Where legal on-street parking is available adjacent to the site, those space(s) may be counted toward the total number of spaces required. Where legal on-street parking is not available adjacent to the site or the number of on-street spaces is insufficient to meet the parking requirement, one off-street parking space must be provided for each rental room in addition to the parking required in ECDC 17.50.020.A.1.a. In the BD zones, no additional off-street parking is required for a bed and breakfast.
- F. Kitchens are not allowed in individual guest rooms.
- G. Meals may only be served to paying B&B guests.
- H. Signage is regulated in ECDC 20.60.
- I. Guests cannot stay at a bed and breakfast for more than 30 consecutive calendar days.
- J. Weddings, conferences, and similar large group gatherings are not permitted at a bed and breakfast.

Section 2. Section 4.72.010 of the Edmonds City Code, entitled “Definitions,” is hereby amended to read as follows (new text is shown in underline; deleted text is shown in ~~strikethrough~~):

4.72.010 Definitions.

In construing the provisions of this chapter, save when otherwise declared or clearly apparent from the context, the following definitions shall be applied:

A. Person. The term “person” shall include one or more persons of either sex, corporations, partnerships, associations, or other entity capable of having an action at law brought against such entity, but shall not include employees or persons licensed pursuant to this chapter.

B. Business. The term “business” includes all services and activities engaged in with the object of pecuniary gain, benefit or advantage to the person, or to any other person or class, directly or indirectly, whether part-time or full-time, except those businesses or occupations which are regulated pursuant to, or for which

licenses or franchises are required by, the following chapters of the Edmonds City Code:

- 3.20 (Business License and Occupation Tax);
- 4.11 (Motor Vehicle Wreckers);
- 4.12 (Peddlers, Solicitors and Street Vendors);
- 4.20 (Liquor Licenses);
- 4.48 (Cabaret Dances);
- 4.50 (Public Massage Parlors and Public Bathhouses);
- 4.56 (Sound Trucks);
- 4.60 (Taxicabs);
- 4.68 (Community Antenna Television Systems);
- 4.75 (Pawnbrokers);

and except nonbusiness activities carried on by a religious, charitable, benevolent, fraternal or social organization ~~and persons leasing one rental unit or one private residence.~~

C. Rental Unit. The term “rental unit” shall mean a separate room or apartment leased for human occupancy and contained within a single structure, and shall include the operations of rooming houses, boarders within private residences and the operation of bed and breakfast establishments ~~which otherwise meet the criteria of the exception created in the subparagraph above.~~

D. Private Residence. The term “private residence” shall mean a separate, free-standing structure leased for residential purposes and human occupancy by one “family” as defined by ECDC 21.30.010.

E. Day. The term “day” when used in this chapter shall refer to days on which the city of Edmonds City Hall is open for business. Any day which is defined as a holiday by ordinance and any day on which City Hall has been closed by executive order shall not constitute a “day.”

Section 3. Section 4.72.023 of the Edmonds City Code, entitled “Registration of transient accommodations,” is hereby repealed.

Section 4. Section 16.20.010 of the Edmonds Community Development Code, entitled “Uses,” is hereby amended to read as follows (new text is shown in underline; deleted text is shown in ~~striketrough~~):

16.20.010 Uses.

A. Permitted Primary Uses.

1. Single-family dwelling units;
2. Churches, subject to the requirements of ECDC 17.100.020;
3. Primary schools subject to the requirements of ECDC 17.100.050(G) through (R);
4. Local public facilities that are planned, designated, and sited in the capital improvement plan, subject to the requirements of ECDC 17.100.050;
5. Neighborhood parks, natural open spaces, and community parks with an adopted master plan subject to the requirements of ECDC 17.100.070.

B. Permitted Secondary Uses.

1. Foster homes;
2. Home occupation, subject to the requirements of Chapter 20.20 ECDC;
3. The renting of rooms without separate kitchens to one or more persons;
4. The keeping of three or fewer domestic animals;
5. The keeping of horses, subject to the requirements of Chapter 5.05 ECC;
6. The following accessory buildings:
 - a. Fallout shelters,

- b. Private greenhouses covering no more than five percent of the site,
- c. Private stables,
- d. Private parking for no more than five cars,
- e. Private swimming pools and other private recreational facilities;
- 7. Private residential docks or piers;
- 8. Family day-care in a residential home;
- 9. Commuter parking lots that contain less than 10 designated parking spaces in conjunction with a church, school, or local public facility allowed or conditionally permitted in this zone. Any additionally designated parking spaces that increase the total number of spaces in a commuter parking lot to 10 or more shall subject the entire commuter parking lot to a conditional use permit as specified in subsection (D)(5) of this section, including commuter parking lots that are located upon more than one lot as specified in ECDC 21.15.075.

10. Bed and breakfasts, as in ECDC 20.23.020.A.1.

C. Primary Uses Requiring a Conditional Use Permit.

- 1. High schools, subject to the requirements of ECDC 17.100.050(G) through (R);
- 2. Local public facilities that are not planned, designated, and sited in the capital improvement plan, subject to ECDC 17.100.050;
- 3. Regional parks and community parks without a master plan subject to the requirements of ECDC 17.100.070.

D. Secondary Uses Requiring a Conditional Use Permit.

- 1. Preschools;
- 2. Guest house;
- 3. Amateur radio transmitting antennas;
- 4. Accessory dwelling units; and
- 5. Commuter parking lots with 10 or more designated parking spaces in conjunction with a church, school, or local public facility allowed or conditionally permitted in this zone.

6. Bed and breakfasts, as in ECDC 20.23.020.A.2.

Section 5. A new Section 21.10.008 of the Edmonds Community Development Code, entitled “Bed and Breakfast,” is hereby added to read as follows:

21.10.008 Bed and Breakfast.

A “bed and breakfast” is a type of transient accommodation located in a detached single-family residence. A bed and breakfast is not a hotel, motel or boarding house. Guests staying at a bed and breakfast are not subject to the requirements of the definition of ‘family’ in ECDC 21.30.010.

Section 6. A new Section 21.100.075 of the Edmonds Community Development Code, entitled “Transient Accommodation,” is hereby added to read as follows:

21.100.075 Transient Accommodation.

Transient accommodation shall mean any hotel, motel, condominium, resort or other facility regardless of size which offers rental of one or more lodging units on a daily or weekly basis. It shall not include rooms let on month-to-month leases or longer tenancies.

Section 7. Severability. If any section, subsection, clause, sentence, or phrase of this ordinance should be held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 8. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:


MAYOR DAVID O. EARLING

ATTEST/AUTHENTICATED:


CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 
JEFFREY B. TARADAY

FILED WITH THE CITY CLERK:	11-30-2012
PASSED BY THE CITY COUNCIL:	12-04-2012
PUBLISHED:	12-09-2012
EFFECTIVE DATE:	12-14-2012
ORDINANCE NO. <u>3900</u>	

SUMMARY OF ORDINANCE NO. 3900

of the City of Edmonds, Washington

On the 4th day of December, 2012, the City Council of the City of Edmonds, passed Ordinance No. 3900. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS,
WASHINGTON, AMENDING THE CITY'S REGULATIONS
REGARDING BED AND BREAKFASTS.

The full text of this Ordinance will be mailed upon request.

DATED this 5th day of December, 2012.


CITY CLERK, SANDRA S. CHASE

Affidavit of Publication

STATE OF WASHINGTON,
COUNTY OF SNOHOMISH

} S.S.

SUMMARY OF ORDINANCE NO. 3900

of the City of Edmonds, Washington
On the 4th day of December, 2012, the City Council of the City of Edmonds, passed Ordinance No. 3900. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE CITY'S REGULATIONS REGARDING BED AND BREAKFASTS.

The full text of this Ordinance will be mailed upon request.
DATED this 5th day of December, 2012.

CITY CLERK, SANDRA S. CHASE

Published: December 9, 2012.

The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice

Summary of Ordinance No. 3900

a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

December 09, 2012

and that said newspaper was regularly distributed to its subscribers during all of said period.

Karen E. Ziemer

Principal Clerk

Subscribed and sworn to before me this

10th

day of December, 2012

Diana L. Hendrix

Notary Public in and for the State of Washington, residing at Everett, Snohomish County.

